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ATTEST

By Denise Morgan-Stone on Mar 08, 2010

FOR THE UNITED STATES  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

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**Feb 19, 2010**

**UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION**

**FILED  
CLERK'S OFFICE**

**IN RE: KITEC PLUMBING SYSTEM PRODUCTS  
LIABILITY LITIGATION**

Theresa J. Bryant, et al. v. IPEX, Inc., et al., )  
S.D. Alabama, C.A. No. 1:09-731 ) MDL No. 2098  
Arbella Protection Insurance Co. v. IPEX USA, LLC, et al., )  
D. Massachusetts, C.A. No. 1:09-12096 )

**CONDITIONAL TRANSFER ORDER (CTO-1)**

On October 7, 2009, the Panel transferred 12 civil actions to the United States District Court for the Northern District of Texas for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 655 F.Supp.2d 1364 (J.P.M.L. 2009). With the consent of that court, all such actions have been assigned to the Honorable W. Royal Furgeson, Jr.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Northern District of Texas and assigned to Judge Furgeson.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Northern District of Texas for the reasons stated in the order of October 7, 2009, and, with the consent of that court, assigned to the Honorable W. Royal Furgeson, Jr.


This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Northern District of Texas. The transmittal of this order to said Clerk shall be stayed 14 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 14-day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is  
pending at this time, the  
stay is lifted.

**Mar 08, 2010**

CLERK'S OFFICE  
UNITED STATES  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

FOR THE PANEL:

  
Jeffery N. Lüthi  
Clerk of the Panel